THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HONBLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO.69 OF 2006

DATED: 25-01-2006

Between

M.Sri Rama Chandra Vara Prasad,

Son of Sreemannarayana, aged 46 yrs,

R/o Flat No.1,Beside Saibaba temple,

Sainagar, Picket,Secunderabad.

....Appellant

And

1.The Depot Manager, APSRTC

Guntur-I Depot,Guntur and another

...Respondents

JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both the counsel and at their request, the main appeal itself is taken up for disposal.

The appellant is the unsuccessful writ petitioner who seeks to assail the award of the Labour Court by way of writ petition whereunder a direction was given for fresh appointment without any back wages and without continuity of service. The writ was infact restricted as against denial of back wages and continuity of service.

There is no challenge made in regard to ultimate relief given i.e., for fresh recruitment. It is not the case of any reinstatement. Therefore, ultimate entitlement of back wages or continuity of service where fresh appointment was made does not arise. Therefore, the writ as has been filed and framed is totally misconceived and unsustainable.

Therefore, the writ appeal is dismissed. No costs.

B.PRAKASH RAO, J

Dated: 25-01-2006.

Hsd

P.LAKSHMANA REDDY, J